

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

DISCOVER GROUP, INC., CASE NO. 5:12-cv-04077 EJD

Plaintiff(s),

**PRETRIAL ORDER**  
**(JURY TRIAL)**

v.

HEWLETT-PACKARD COMPANY,

Defendant(s).

The above-entitled action is scheduled for a Preliminary Pretrial Conference on October 18, 2013. Based on the parties' Joint Preliminary Pretrial Conference Statement (see Docket Item No. 39), the court has determined an appearance is unnecessary at this time. Accordingly, the Preliminary Pretrial Conference is VACATED and the parties are ordered to comply with the following schedule.

IT IS HEREBY ORDERED that the following schedule shall apply to this case:

| EVENT  | DATE                  |
|--|-----------------------|
| Hearing on Anticipated Motions for Summary Judgment<br>( <i>All Motions for Summary Judgment filed by either party should be noticed for this date</i> ) | 9:00 a.m. on 3/7/14   |
| Final Pretrial Conference  | 11:00 a.m. on 4/25/14 |
| Joint Final Pretrial Conference Statement, Motions <i>in Limine</i> and Exchange of Exhibits   | 4/11/14               |


|  |   |
|--|---|
| Voir Dire Questions, Proposed Jury Instructions, and Proposed Jury Verdict Forms | 4/15/14   |
| Jury Selection   | 9:00 a.m. on 5/5/14   |
| Jury Trial <sup>1</sup>  | 5/6-5/7/14 (full days); 5/8/14 (1/2 day a.m.); 5/12/14 (1/2 day a.m.); 5/13-5/14/14 (full days); 5/15/14 (1/2 day a.m.) |
| Jury Deliberations   | 5/16/14   |

IT IS FURTHER ORDERED that the parties shall comply with the Standing Order re: Preliminary and Final Pretrial Conference and Trial Preparation, a copy of which is available from the Clerk of the Court,<sup>2</sup> with regard to all pretrial submissions.

The court advises the parties that this is the **final case schedule**. All parties are expected to comply as directed above. This schedule will not be amended further absent the presentation of good cause necessitating such an amendment.

**IT IS SO ORDERED.**

Dated: October 15, 2013

  
EDWARD J. DAVILA  
United States District Judge

<sup>1</sup> Jury trials are held in full day sessions on Tuesdays and Wednesdays, and morning sessions on Thursdays (9:00 a.m.–12:00 p.m.), unless the Court otherwise specifies. At the Final Pretrial Conference, the Court reserves the right to add morning sessions on Mondays (9:00 a.m.–12:00 p.m.), thus creating extra half-days for trial. The final trial schedule will be confirmed at the Final Pretrial Conference.

<sup>2</sup> A copy of Judge Davila's standing order is also available on the court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov) by clicking first on the "Judges" button, then on Judge Davila's name, then on the link for "Judge Davila's Standing Orders," and finally on the link for "Standing Order Re Pretrial Preparation."